



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

3. ATTACHMENT—*Removal of goods in course of trade.* The statute which authorizes a landlord to sue out an attachment against the goods of his tenant for rent not due when the tenant intends to remove, or is removing, his effects from the leased premises, so that there will probably not be left on the leased premises property liable to distress sufficient to satisfy the rent when due, applies as well to removals in the regular course of business as to other removals. No exception is made in the statute. Sec. 4, ch. 148, Code of 1873.

4. ATTACHMENT—*Deed of trust on property on leased premises—Intention of trustee to remove.* The trustee in a deed of trust given by the lessor on property after it has been carried on leased premises cannot remove the property from the leased premises without security to the lessor for one year's rent. He can stand on no higher ground than the lessee. And the intention of the trustee to remove said property by sale or otherwise without securing a year's rent, or leaving sufficient property liable to levy to pay a year's rent, is of itself sufficient cause for suing out an attachment by the landlord.

N. Y. P. & N. R. Co. v. BOARD OF SUPERISORS OF NORTHAMPTON Co.—Decided at Richmond, March 12, 1896.—*Cardwell, J.*:

1. RAILROADS—*District school tax.* A levy by a board of supervisors for district school purposes on the property of a railroad company as a whole within a county, without reference to what part thereof is located in the several districts or so as to show the amount levied for each district, is void, because in violation of Sec. 8, Art. VIII, of the Constitution of this State.

2. RAILROADS—*District school tax.* Section 833 of the Code does not authorize the board of supervisors of counties to levy a tax on the property of railroad and telegraph companies for district school purposes, and no method has been provided by law for ascertaining the value of the property of railroad and telegraph companies within the boundaries of the several school districts of the State, and therefore no district school tax can be levied thereon.

NORFOLK & WESTERN R. CO. v. DUNNWAY'S ADM'R.—Decided at Richmond, April 9, 1896.—*Buchanan, J.*: (*Riely* and *Cardwell, JJ.*, dissenting.)

1. APPELLATE PROCEEDINGS—*Notice of intention to appeal—Transcript of record—Sec. 3457 of Code directory.* The provisions of sec. 3457 of the Code requiring a party intending to apply for a writ of error or appeal to give notice to the opposite party or his counsel of his intention to apply for a transcript of the record, and forbidding the clerk to make out and deliver such transcript until it appears that such notice has been given, which fact the clerk is required to certify with the record, are directory only. But it is a plain violation of official duty for a clerk to make out and deliver a transcript until it appears that notice has been given as required by law.

2. APPELLATE PROCEEDINGS—*Motion for new trial—Demurrer to evidence.* It is not necessary for a motion for a new trial to be made in the trial court in order to have a judgment on a demurrer to evidence reviewed in the appellate court.

3. RAILROADS—*Trespassers—Notice of danger—Object between rails—Negligence.* A railroad company does not owe to a trespasser on its track the duty of foresight,